

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Miami-Luken, Inc., : Case No. 1:16-mc-12
: :
Plaintiff, : Judge Susan J. Dlott
: :
v. : :
: :
United States Department of Justice, Drug : Order
Enforcement Agency, : :
: :
Defendant. : :

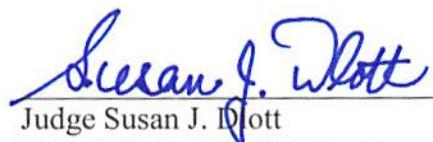
This matter is before the Court on Defendant United States Department of Justice Drug Enforcement Administration (“DEA”)’s Objections to the Magistrate Judge’s Ruling. (Doc. 46.) On October 24, 2018, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that the Court grant Miami-Luken, Inc.’s (“Miami-Luken”) Motion to Enforce the Court’s April 21, 2017 Order (Doc. 37) and deny the DEA’s Second Rule 60(b)(5) Motion to Set Aside the same Order (Doc. 38).

As has been well set forth by the Magistrate Judge in her reasoned R&R, the procedural history of this case is astounding and has taken on a life of its own, distracting from both the merits of the case and the fact that this case was closed from the docket on April 21, 2017. (Doc. 24.) The DEA’s brazen disregard of this Court’s previous Orders and actions in this case border on sanctionable.

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. In objecting to the Magistrate Judge’s R&R, the Defendant regurgitates arguments set forth in its original motion. Based upon its consideration of the foregoing, the Court determines that the well-considered R&R should be adopted in full.

Accordingly, Miami-Luken's Motion to Enforce the Court's April 21, 2017 Order (Doc. 37) is **GRANTED** and the DEA's Renewed Motion for Relief from Judgment (Doc. 38) is **DENIED**.

IT IS SO ORDERED.



Judge Susan J. Dlott
United States District Court